

U.S. DISTRICT COURT
DISTRICT OF MASS.
APR 12 2004

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DEBORAH CHIN, Individually and On Behalf of All Others Similarly Situated,)	Civil Action No. 04-CV-10294-DPW
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
SONUS NETWORKS, INC., et al.,)	
)	
Defendants.)	
)	
_____)	Civil Action No. 04-CV-10307-DPW
MICHELLE TREBITSCH, On Behalf of Herself and All Others Similarly Situated,)	
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	
vs.)	
)	
SONUS NETWORKS, INC., et al.,)	
)	
Defendants.)	
)	
_____)	

[Caption continued on following page.]

[PROPOSED] ORDER GRANTING GLOBAL UNDERVALUED SECURITIES MASTER
FUND'S MOTION TO CONSOLIDATE CASES FOR ALL PURPOSES AND REQUIRING
PRESERVATION OF DOCUMENTS

INFORMATION DYNAMICS, LLC, On
Behalf of Itself and All Others Similarly
Situating,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10308-DPW

) CLASS ACTION

PETER KALTMAN, On Behalf of Himself
and All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10309-DPW

) CLASS ACTION

SAMANTHA DEN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10310-DPW

) CLASS ACTION

[Caption continued on following page.]

RICHARD CURTIS, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10314-MLW

) CLASS ACTION

RONALD KASSOVER, On Behalf of the
Ronald Kassover IRA and All Others Similarly
Situating,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10329-DPW

) CLASS ACTION

STEVE L. BAKER, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10333-DPW

) CLASS ACTION

[Caption continued on following page.]

MICHAEL KAFFEE, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10345-DPW
)
)

) CLASS ACTION
)
)

HAIMING HU, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10346-DPW
)
)

) CLASS ACTION
)
)

CHARLES STARBUCK, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SONUS NETWORKS, INC., et al.,

Defendants.

) Civil Action No. 04-CV-10362-DPW
)
)

) CLASS ACTION
)
)

[Caption continued on following page.]

SAMUEL HO, Individually and On Behalf of) Civil Action No. 04-CV-10363-DPW
All Others Similarly Situated,)
) CLASS ACTION
Plaintiff,)
)

vs.)
)

SONUS NETWORKS, INC., et al.,)
)
Defendants.)
)

JEFFREY C. RODRIGUES, Individually and) Civil Action No. 04-CV-10364-DPW
On Behalf of All Others Similarly Situated,)
) CLASS ACTION
Plaintiff,)
)

vs.)
)

SONUS NETWORKS, INC., et al.,)
)
Defendants.)
)

ROBERT CONTE and MARK RESPLER,) Civil Action No. 04-CV-10382-DPW
Themselves and On Behalf of All Others)
Similarly Situated,) CLASS ACTION
)

Plaintiffs,)
)

vs.)
)

SONUS NETWORKS, INC., et al.,)
)
Defendants.)
)

[Caption continued on following page.]

**WHEATON ELECTRICAL SERVICES
RETIREMENT 401K PROFIT SHARING
PLAN, On Behalf of Itself and All Others
Similarly Situated,**

Plaintiff,

VS.

SONUS NETWORKS, INC., et al.,

Defendants.

**BRIAN CLARK, Individually and On Behalf
of All Others Similarly Situated,**

Plaintiff,

VS.

SONUS NETWORKS, INC., et al.,

Defendants.

SHEILA BROWNELL, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

VS.

SONUS NETWORKS, INC., et al.,

Defendants.

Civil Action No. 04-CV-10383-DPW

CLASS ACTION

Civil Action No. 04-CV-10454-DPW

CLASS ACTION

Civil Action No. 04-CV-10597-DPW

CLASS ACTION

[Caption continued on following page.]

SAVERIO PUGLIESE, On Behalf of Himself) Civil Action No. 04-CV-10612-DPW
and All Others Similarly Situated,)
Plaintiff,) CLASS ACTION

vs.)

SONUS NETWORKS, INC., et al.,)
Defendants.)

DAVID V. NOCITO, On Behalf of Himself) Civil Action No. 04-CV-10623-DPW
and All Others Similarly Situated,)
Plaintiff,) CLASS ACTION

vs.)

SONUS NETWORKS, INC., et al.,)
Defendants.)

Having considered Global Undervalued Securities Master Fund's motion to consolidate the actions listed below and good cause appearing therefore, IT IS HEREBY ORDERED that:

1. The Motion to Consolidate Cases for All Purposes is GRANTED;
2. The following actions are hereby consolidated for all purposes, including pretrial proceedings, trial and appeal, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure:

Abbreviated Case Name	Case Number	Date Filed
Chin v. Sonus Networks, Inc., et al.	04-CV-10294-DPW	February 12, 2004
Trebitsch v. Sonus Networks, Inc., et al.	04-CV-10307-DPW	February 13, 2004
Information Dynamics, LLC v. Sonus Networks, Inc., et al.	04-CV-10308-DPW	February 13, 2004
Kaltman v. Sonus Networks, Inc., et al.	04-CV-10309-DPW	February 13, 2004
Den v. Sonus Networks, Inc., et al.	04-CV-10310-DPW	February 13, 2004
Curtis v. Sonus Networks, Inc., et al.	04-CV-10314-MLW	February 13, 2004
Kassover v. Sonus Networks, Inc., et al.	04-CV-10329-DPW	February 17, 2004
Baker v. Sonus Networks, Inc., et al.	04-CV-10333-DPW	February 18, 2004
Kaffee v. Sonus Networks, Inc., et al.	04-CV-10345-DPW	February 20, 2004
Hu v. Sonus Networks, Inc., et al.	04-CV-10346-DPW	February 20, 2004
Starbuck v. Sonus Networks, Inc., et al.	04-CV-10362-DPW	February 23, 2004
Ho v. Sonus Networks, Inc., et al.	04-CV-10363-DPW	February 23, 2004
Rodrigues v. Sonus Networks, Inc., et al.	04-CV-10364-DPW	February 23, 2004
Conte, et al. v. Sonus Networks, Inc., et al.	04-CV-10382-DPW	February 26, 2004
Wheaton Electrical Servs. Ret. 401K Profit Sharing Plan v. Sonus Networks, Inc., et al.	04-CV-10383-DPW	February 26, 2004
Clark v. Sonus Networks, Inc., et al.	04-CV-10454-DPW	March 3, 2004
Brownell v. Sonus Networks, Inc., et al.	04-CV-10597-DPW	March 31, 2004
Pugliese v. Sonus Networks, Inc., et al.	04-CV-10612-DPW	March 30, 2004
Nocito v. Sonus Networks, Inc., et al.	04-CV-10623-DPW	March 31, 2004

3. The caption of these consolidated actions shall be "In re Sonus Networks, Inc. Securities Litigation," and the files of these consolidated actions shall be maintained in one file under Master File No. 04-10294-DPW. Any other actions now pending or later filed or transferred into this District that arise out of or are related to the same facts as alleged in the above-identified cases shall be consolidated for all purposes if and when they are brought to the Court's attention.

4. Every pleading filed in the consolidated actions, or in any separate action included herein, shall bear the following caption:

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re SONUS NETWORKS, INC.)	Master File No. 04-CV-10294-DPW
)	
SECURITIES LITIGATION)	
)	
)	
This Document Relates to:)	
)	

5. When a pleading is intended to be applicable to all actions governed by this Order, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set out above. When a pleading is intended to be applicable to some, but not all, of the consolidated actions, this Court's docket number for each individual action to which the pleading is intended to apply and the last name of the first-named plaintiff in said action shall appear immediately after the words "This Document Relates To:" in the caption set out above (e.g., "04-CV-10294-DPW").

6. A Master Docket and a Master File are hereby established for the above consolidated proceedings and for all other related cases filed in or transferred to this Court. Separate dockets shall continue to be maintained for each of the individual actions hereby consolidated, and entries shall be

made in the docket of each individual case in accordance with the regular procedures of the clerk of this Court, except as modified by this Order.

7. When a pleading is filed and the caption shows that it is applicable to "All Actions," the clerk shall file such pleading in the Master File and note such filing on the Master Docket. No further copies need be filed, and no other docket entries need be made.

8. When a pleading is filed and the caption shows that it is to apply to fewer than all of the consolidated actions, the clerk will file such pleading in the Master File only, but shall docket such filing on the Master Docket and the docket of each applicable action.

9. When a case that properly belongs as a part of "In re Sonus Networks, Inc. Securities Litigation" is filed in this Court or transferred to this Court from another court and assigned to Judge Woodlock, the clerk of this Court shall:

- (a) Place a copy of this Order in the separate file for such action;
- (b) Mail to the attorneys for the plaintiffs in the newly filed or transferred case a copy of this Order and direct that this Order be served upon or mailed to any new defendant(s) or their counsel in the newly filed or transferred case; and
- (c) Make an appropriate entry on the Master Docket. This Court requests the assistance of counsel in calling to the attention of the clerk of this Court the filing or transfer of any case that properly might be consolidated as part of "In re Sonus Networks, Inc. Securities Litigation."

10. After the Court has designated a lead plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B), the lead plaintiff shall designate a law firm or firms to serve as lead plaintiff's counsel, pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v). Lead plaintiff's counsel shall have authority to speak for and enter into agreements on behalf of plaintiffs in all matters regarding pretrial procedures, discovery and

settlement negotiations. Lead plaintiff's counsel shall manage the prosecution of this litigation to avoid duplicative or unproductive activities. Lead plaintiff's counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs and for dissemination of notices and orders. Lead plaintiff's counsel shall be responsible for communications with the Court.

11. Defendants' counsel may rely upon agreements made with lead plaintiff's counsel. Such agreements shall be binding on all plaintiffs.

12. Counsel for the parties shall notify their clients of their document preservation obligations pursuant to the federal securities laws.

13. Pursuant to 15 U.S.C. §78u-4(b)(3)(C), the parties shall "treat all documents, data compilations (including electronically recorded or stored data), and tangible objects that are in the custody or control of such person and that are relevant to the allegations, as if they were the subject of a continuing request for production of documents from an opposing party under the Federal Rules of Civil Procedure." The term "document" shall be interpreted consistently with the terms "document" and "writing" as used in the Federal Rules of Civil Procedure and Federal Rules of Evidence.

14. Defendants are not required to respond to the complaint in any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint.

15. Lead plaintiff shall file a consolidated complaint within 60 days after the filing of the Order designating the lead plaintiff, unless otherwise agreed upon by the parties. The consolidated complaint shall be the operative complaint and shall supersede all complaints filed in any of the actions consolidated herein.

16. Defendants shall respond to the consolidated complaint within 45 days after service. If defendants file any motions directed at the consolidated complaint, the opposition brief shall be filed within 45 days of filing that motion and the reply brief shall be filed within 21 days of the filing of the opposition brief, unless otherwise agreed upon by the parties.

IT IS SO ORDERED.

HONORABLE DOUGLAS P. WOODLOCK
UNITED STATES DISTRICT COURT JUDGE

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 401 B Street, Suite 1700, San Diego, California 92101.

2. That on April 12, 2004, declarant served the [PROPOSED] ORDER GRANTING GLOBAL UNDERVALUED SECURITIES MASTER FUND'S MOTION TO CONSOLIDATE CASES FOR ALL PURPOSES AND REQUIRING PRESERVATION OF DOCUMENTS by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of April, 2004, at San Diego, California.


SHARON E. FORD

SONUS NETWORKS-CA

Service List - 4/6/2004 (04-0069)

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